

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
)	Not Yet Assigned
Philip H. Snyder, et al.)	
)	Group Art Unit
Serial No. 10/613,290)	3746
)	
Filed: July 3, 2003)	
)	
CONSTANT VOLUME COMBUSTOR)	Atty. Docket No.: 6001-988

DECLARATION UNDER 37 C.F.R. §1.68 RELATING TO
ASSOCIATION WITH NATIONAL AERONAUTICS
AND SPACE ADMINISTRATION

Commissioner of Patents
Attention Licensing and Review
P. O. Box 1450
Alexandria, VA 22313-1450

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LICENSING & REVIEW

Dear Sir:

We, Philip H. Snyder of 1650 South CR 525 East, Avon, Indiana, 46123; and Calvin W. Emmerson of 2302 Foxcliff North, Martinsville, Indiana, 46151, are citizens of the United States of America, and we do hereby declare:

That we made and conceived the invention described and claimed in Patent Application Serial No. 10/613,290, filed in the United States of America on July 3, 2003, entitled CONSTANT VOLUME COMBUSTOR. Application No. 10/613,290 claims the benefit of United States Provisional Application Serial No. 60/393,727 filed July 3, 2002.

That we made and conceived the invention while either directly employed by or as a contract employee of Allison Advanced Development Company and/or its predecessors and/or successors (hereinafter "ALLISON"). That the invention is related to the work we are employed and/or hired to perform by ALLISON and was made within

the scope of our employment duties. That the invention was made during working hours, and with use of facilities, equipment, materials, funds, information and services of ALLISON. That to the best of our knowledge and belief, the invention set forth in the above-referenced U. S. Patent Application was not made or conceived in the course of, or in connection with, or under terms of any contract, subcontract or arrangement entered into with or for the benefit of the National Aeronautics and Space Administration;

The undersigned inventors declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

April 28, 2004
Date

Philip H. Snyder
Philip H. Snyder
1650 South CR 525 East
Avon, IN 46123

May 13, 2004
Date

Calvin W. Emmerson
Calvin W. Emmerson
2302 Foxcliff North
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IFW
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/613,290	07/03/03	SNYDER, ET AL.	6001-988

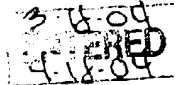
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EXAMINER	
ART UNIT	PAPER NUMBER

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DATE MAILED: **MAILED**

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**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
 FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

- ☐ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).
- ☒ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at **(703) 305-0241**

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
 ATTENTION OF LICENSING AND REVIEW**

U.S. DEPARTMENT OF COMMERCE